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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

STEVE CRUMP,

Plaintiff,

v.

WARDEN GREGORY AHERN et al,

Defendants.

Civil Case No.: C12-04357 EMC

**STIPULATION AND ~~PROPOSED~~
ORDER REGARDING PLAINTIFF'S
FILING OF FIRST AMENDED
COMPLAINT**

1 Pursuant to Civil Local Rule 7-12, IT IS HEREBY STIPULATED by and between the
2 parties hereto through their respective attorneys of record, that if the Court approves, the First
3 Amended Complaint submitted by Plaintiff with this stipulation, shall be considered filed by
4 Plaintiff as of September 30, 2014. The stipulation is based on the following:

5 1. On or about August 31, 2012, Plaintiff Steve Crump ("Plaintiff") filed a pro se
6 complaint in the United States District Court for the Northern District of California (Dkt. No. 4).

7 2. On May 10, 2013, Defendant M. Gordon ("Defendant") filed an Answer to
8 Plaintiff's pro se complaint (Dkt. No. 15).

9 3. On or about March 28, 2014, Plaintiff filed a proposed amended complaint but
10 never sought the Court's leave to file such complaint (Dkt. No. 37), and Defendant never filed
11 an answer.

12 4. On July 10, 2014, the Court appointed pro bono counsel to represent Plaintiff
13 (Dkt. No. 42).

14 5. On September 12, 2014, following a Case Management Conference, the Court
15 ordered, "Amended Complaint shall be 9/30/14. Any further amendment shall be filed by
16 11/30/14." (Dkt. No. 52).

17 6. Plaintiff, through his recently appointed pro bono counsel, intends to file the
18 attached First Amended Complaint, and Defendants consent to that filing subject to, and without
19 waiving, any disputes, defenses or objections that he may have to said pleading.
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7. The parties respectfully request that the Court enter an Order approving this stipulation. In accordance with Civil Local Rule 5-1(i)(3), the filer of this document attests that the concurrence in the filing of this document has been obtained from the other signatory hereto.

Respectfully submitted,

DATED: September 30, 2014

DAVID B. BAYLESS
CLARA J. SHIN
REBECCA A. JACOBS
COVINGTON & BURLING LLP

By: /s/ Rebecca A. Jacobs
Rebecca A. Jacobs

Attorneys for Plaintiff
STEVE CRUMP

DATED: September 30, 2014

DONNA R. ZEIGLER,
County Counsel in and for the County of
Alameda, State of California

By: /s/ Jill Sazama
Jill Sazama
Deputy County Counsel

Attorneys for Defendant
DEPUTY M. GORDON

~~[PROPOSED]~~ ORDER

Pursuant to stipulation, IT IS SO ORDERED.

SIGNED on the 30th day of Sept., 2014.

THE HONORABLE
Judge Edward M. Chen
for the Northern District of California

